



MANUAL OF PATENT EXAMINING PROCEDURE

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for the processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.

50064

First Named Inventor

George Krikorian

Examiner Name

Group / Art Unit

Express Mail Label No.

This is a request for a ☐ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 490,948
filed on January 24, 2000, entitled Multiple Stage Theater

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for renewals and designs, to the effect that the patent issued as a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

CPA NOT FORMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(d) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be considered to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.54 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referring to the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application designated the application number identified in such request. 37 C.F.R. § 1.77(b).

1. ☐ Enter the unentered amendment previously filed on _____
under 37 C.F.R. § 1.118 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
 - a. ☒ DELETE the following inventor(s) named in the prior nonprovisional application:

Richard Martin Byrd
 - b. ☒ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/61) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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201.06(d)

MANUAL OF PATENT EXAMINING PROCEDURES

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MAR 06 2001

MAR 07 2001

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Approved for use through 03/30/2001. OMB 0961-0032
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**Submit an original, and a duplicate for the processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

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Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.

50064

First Named Inventor

George Krikorian

Examiner Name

Group / Art Unit

Express Mail Label No.

This is a request for a ☐ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 490,948
filed on January 24, 2000, entitled Multiple Stage Theater**NOTES****FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for renewals and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(d)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.**CPA NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(d) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be processed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 in the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.54 to access to, copies of, or information concerning the prior application may be given such access to, copies of, or similar information concerning the prior application or applications in the file folder.**35 U.S.C. 122 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and in every application assigned the application number identified in such request 37 C.F.R. § 1.78(b).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
 - a. ☒ **DELETE** the following inventor(s) named in the prior nonprovisional application:
Richard Martin Byrd
 - b. ☒ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/61) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1448
 - b. ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

03/02/2001 SSESHE1 00000098 09490948

01 FC:231
Adjustment date: 09/09/2002 AKELLE 355.00 OP
03/02/2001 SSESHE1 00000098 09490948
01 FC:231
Rev. 1. Feb. 2000 -355.00 OP

200-42

SEE DECISION ON
PETITION IN
10/042740

09/09/2002 AKELLE 00000004 10042740

01 FC:201

355.00 OP

TYPES, CROSS-NOTING, AND STATUS OF APPLICATION

201.06(d)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(d) or (i))		10 -20* =		x \$ _____ =	\$ _____
INDEPENDENT CLAIMS (37 C.F.R. § 1.104 or (i))		2 -3** =		x \$ _____ =	\$ _____
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	\$ _____
				BASIC FEE (37 C.F.R. § 1.16)	355
				Total of above Calculations =	355
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Release claims in excess of 20 and over original patent. ** Release independent claims over original patent.				TOTAL =	355

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. _____:

- a. ☐ Fees required under 37 C.F.R. § 1.16.
b. ☐ Fees required under 37 C.F.R. § 1.17.
c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☐ A check in the amount of \$ 355.00 is enclosed.

9. ☐ New Attorney Docket Number, if desired 50064

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10 a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11. ☐ Other: _____

NOTE:

The prior application's correspondence address will carry over to this CPA unless a new correspondence address is provided herein.

12. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Nathan Boether, Attorney

Signature

Registration No. (Attorney/Agent)

32856

Date

02/26/01



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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of)
GEORGE KRIKORIAN, et al)
Serial No.: 09/490,948)
Filed: January 24, 2000)
For: MULTIPLE STAGE THEATER)
_____)

Art Unit:

Examiner:

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MAR 07 2001
OFFICE OF PETITIONS

Assistant Commissioner For Patents
Washington, DC, 20231

CONTINUED PROSECUTION APPLICATION

UNDER 37 C.F.R. 1.53(d)

This is a request for the filing of a continued prosecution application under 37 C.F.R. 1.53(d) of the above captioned non-provisional application.

It is requested that this continued prosecution application utilize the file jacket and contents of the prior application, including the specification, drawings, and oath or declaration from the prior application, to constitute this new application, and that the application number of the above captioned prior application be assigned for identification purposes. 37 C.F.R. 153(d)(2)(iv)

It is also requested that the above captioned prior application be expressly abandoned as of the filing date accorded this continued prosecution application. 37 C.F.R. 153(d)(2)(v)

With respect to the above captioned prior non-provisional

1 application, this continued prosecution application is being
2 filed before the earliest of the following:

3 1) termination of the proceedings on the prior application.
4 37 C.F.R. 153(d)(1)(ii)(C);

5 2) payment of the issue fee on the prior application. 37
6 C.F.R. 1.53(d)(1)(ii)(A); and

7 3) abandonment of the prior application. 37 C.F.R.
8 1.53(d)(1)(ii)(B)

9 The term for response or taking action in the prior
10 application expires on March 2, 2001.

11 Please note the following:

12 1) This application discloses and claims only subject matter
13 disclosed in the prior application. 37 C.F.R. 1.53(d)(2)(ii)

14 2) Filing of this continued prosecution application is to be
15 construed to include a waiver of confidentiality by the applicant
16 under 35 U.S.C. 122 to the extent that any member of the public,
17 who is entitled under the provisions of section 1.14 to access
18 to, copies of, or information concerning, either the prior
19 application or any continuing application filed under the
20 provisions of 37 C.F.R. 1.53(d) may be given similar access to,
21 copies of, or similar information concerning the other
22 application or applications in the file jacket. 37 C.F.R.
23 1.53(d)(6)

24 3) Filing of this request is the specific reference required
25 by 35 U.S.C. 120 to every application assigned the application
26 number identified in this request. No amendment in this
27 application may delete this specific reference to any prior
28 application. 37 C.F.R. 1.53(d)(7) and 1.78(a)(2)

1 This continued prosecution application names as inventors
2 fewer than all of the inventors named in the prior application.
3 37 C.F.R. 1.53(d)(4)

4 Please delete the following named inventor which is not an
5 inventor of the invention being claimed in this new application:


6 Richard Martin Byrd

7 Enclosed please find a check for the basic filing fee under
8 37 C.F.R. 1.16 in the amount of \$355 for a small entity.

9 Status as a small entity was claimed in the prior
10 application numbered 09/490,948 filed on January 24, 2000, for
11 which benefit is being claimed for this application.

12
13 DATED: FEB 26 2001

LAW OFFICE OF NATHAN BOATNER

14
15 
16 By Nathan Boatner, Attorney
17 Reg. No. 32856
18 PMB 692, 7095 Hollywood Blvd,
19 Los Angeles, CA, 90028
20 (213) 840-8286

21 CERTIFICATE OF MAILING


22 I, Nathan Boatner, attorney hereby certify that the
23 continued prosecution application was deposited in the United
24 States Post Office with first class postage fully prepaid at
25 Mira Loma, California
26 on this day of FEB 26 2001

27 addressed as follows:

28 Assistant Commissioner Of Patents
BOX DAC
Washington, DC, 20231

DATED:

FEB 26 2001


Nathan Boatner, Attorney
Reg. No. 32856